

Application No.: 10/783,522

Docket No.: MWS-109RCE

REMARKS

This amendment is being filed in response to the non-final Office Action dated February 7, 2008 (hereinafter "the Office Action").

Applicants have amended claims 1-10, 12-31, 33, 34 and 37-50, and have added claim 51 to better claim the invention.

Now pending in the application are claims 1-51. Claims 37-50 were withdrawn from further consideration in response to the Examiner's restriction requirement dated June 30, 2006. Amongst claims 1-36 and 51, claims 1, 12, 22 and 28 are independent.

I. Telephone Interview

Applicants thank the Examiner for the courtesy of a telephone interview conducted on May 23, 2008. During the interview, the claims and the cited references were discussed.

II. Summary of Rejections

In the Office Action:

claims 1-36 were rejected under 35 U.S.C. §101 as being directed to non-statutory subject matter;

claims 1-9, 22, 23, 25-27, 28-30 and 32-36 were rejected under 35 U.S.C. §102(b) as being anticipated by "Mathematical Simulation and Analysis of Cellular Metabolism and Regulation" by I. Goryanin, *et al.*, Bioinformatics, 1999, Vol. 15, No. 9, pp.749-758 (hereinafter "Goryanin");

claims 1, 12-19, 21, 24, 28 and 31 were rejected under 35 U.S.C. §102(e) as being anticipated by U.S. Patent No. 6,882,940 to Potts, *et al.* (hereinafter "Potts"); and